

HOUSE BILL 2107

By Fincher

AN ACT to amend Tennessee Code Annotated, Title 63,
relative to services provided in certain health
clinics.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

SECTION 1. Tennessee Code Annotated, Section 63-6-708, is amended by adding the
following as a new subsection (c):

(c)

(1) For the purposes of this section, a physician who otherwise meets the requirements of this section shall be deemed to render medical care services "voluntarily and without compensation" if the clinic or sponsoring organization charges patients for medical care services performed at the clinic on the basis of a sliding fee schedule that is approved by commissioner of health as being a nominal fee or as being less than the rates charged in the commercial market for medical care services, so long as the physician's services are volunteer and the physician receives no compensation from the clinic.

(2) Subdivision (a)(2) shall not apply to a physician who otherwise meets the requirements of this section, but who renders medical care services at a clinic or sponsoring organization that charges patients for such services performed at the clinic on the basis of a sliding fee schedule that is approved by commissioner of health as being a nominal fee or as being less than the rates charged in the commercial market for medical care services, so long as the physician's services are volunteer and the physician receives no compensation from the clinic.

(3) For the purposes of this section, a clinic or sponsoring organization for a physician who otherwise meets the requirements of this section shall be permitted to use the liability protection available under subdivision (a)(1) and to charge patients for medical care services performed at the clinic on the basis of a sliding fee schedule that is approved by commissioner of health as being a nominal fee or as being less than the rates charged in the commercial market for medical care services, so long as the physician's services are volunteer and the physician receives no compensation from the clinic.

SECTION 2. The commissioner of health is authorized to promulgate rules and regulations to effectuate the purposes of this act. All such rules and regulations shall be promulgated in accordance with the provisions of Tennessee Code Annotated, Title 4, Chapter 5.

SECTION 3. This act shall take effect July 1, 2009, the public welfare requiring it.